

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

SCOTT STERN,

Plaintiff,

v.

**UNIVERSITY OF MASSACHUSETTS AT
AMHERST; UNIVERSITY OF
MASSACHUSETTS HEALTH SERVICES;
BERNADETTE MELBY, DIRECTOR OF
HEALTH SERVICES; BRIAN BURKE,
ASSOCIATE COUNSEL, UNIVERSITY OF
MASSACHUSETTS AT AMHERST;
UNIVERSITY OF MASSACHUSETTS
BOARD OF TRUSTEES;
MASSACHUSETTS BOARD OF HIGHER
EDUCATION; DIVISION OF HEALTH
CARE FINANCE AND POLICY,**

Defendants.

**Civil Action No.
04-30176-FDS**

ORDER

On October 12, 2004, defendants Massachusetts Board of Higher Education and Massachusetts Division of Health Care Finance and Policy filed a motion to enlarge time to file an answer or responsive pleading, seeking an additional 30 days to respond to plaintiff's complaint. By order dated October 15, 2004, this court granted plaintiff's first motion to amend his complaint (Docket #14). Rule 15(a) of the Federal Rules of Civil Procedure states, "A party shall plead in response to an amended pleading within the time remaining for response to the original pleading or within 10 days after service of the amended pleading, whichever period may be the longer, unless the court otherwise orders." The time for these defendants to respond to the

original pleading has passed, so, by rule, they would have ten days after service of the amended pleading in which to file an answer or responsive pleading. The court will grant these defendants an additional five days after service of the amended complaint to respond, which is adequate time for defendants' counsel to familiarize himself with plaintiff's claims and to draft an answer or responsive pleading to plaintiff's complaint.

So Ordered.

/s/ F. Dennis Saylor
F. Dennis Saylor IV
United States District Judge

Dated: October 15, 2004